

CONNIE POSKEY	§	
v.	§	CIVIL ACTION NO. 9:08cv209
TAYLOR, BEAN & WHITAKER MORTGAGE CORP.	§	

The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Plaintiff's Motion to Remand (document [#5](#)) be granted, that the case be remanded back to the 3<sup>rd</sup> Judicial District Court of Houston County, Texas, and that attorney's fees be awarded to Plaintiff in the amount of \$1630 for actual attorney's fees incurred as a result of the improper removal. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

**ORDERED** that Plaintiff's Motion to Remand (document [#5](#)) is **GRANTED**. The case is hereby **REMANDED** to the 3<sup>rd</sup> Judicial District Court of Houston County, Texas. It is further

**ORDERED** that Defendant shall pay attorney's fees to Plaintiff in the amount of \$1630 for actual attorney's fees incurred as a result of the improper removal.

So **ORDERED** and **SIGNED** this **6** day of **January, 2009**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

---

Ron Clark, United States District Judge